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27 January 2002

Renata Hesse, Trial Attorney Antitrust Division, Department of Justice 601 D Street NW, Suite 1200 Washington, DC 20530

Dear Ms. Hesse:

Millions of average Americans like myself have invested in Microsoft; many directly, even more through their pension funds. We've witnessed with alarm your office's case against the company cause dramatic flux in the stock market. All investors, not just those holding Microsoft shares, have been hurt by the general downturn in the market.

Speaking of "markets," in my view it was only an extremely narrow, and unrealistic definition of the "operating-system market" that allowed the judge to conclude that Microsoft was "monopolizing." Microsoft is big — it shipped product to 100 million people just in the last year — but this is because Americans, and many people overseas, have made Windows the operating system of choice, not because there is no competition, or any illegal restraint of trade. The fact that there are other competing operating systems such as Apple's Macintosh platform, and the Linux share-ware platform seems to have been lost.

All high-tech companies live and die by guarding the make-up of their key intellectual products, particularly software. Yet the proposed remedy that Microsoft, and of course the government, agreed upon would force the company to share such information with its competitors. Although this may trample the heart of commercial and intellectual property law in the country with untold harm done not just to this one company, but also to an entire sector of our economy, Microsoft appears to have agreed to it in an effort to, in the currently popular phrase, "move on."

It's important we let the high-tech sector of the American economy continue to increase the standard of living of the average American to levels never before seen in history. If Microsoft's competitors and the government act like the greedy persons who killed "the goose that laid the golden eggs," our economy is likely to end up as dead as the goose did in the fairy tale. It's time to "close the book" on this case by approving the proposed settlement.

Sincerely,

Dr. Don Racheter, President